

**RULE 63 (37 C.F.R. 1.63)**  
**DECLARATION FOR PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **LAMINATED FABRIC** the specification of which (check applicable box(es)):

- ☐ is attached hereto.  
☒ was filed on **October 24, 1997** as U.S. Application Serial No. **08/957431**  
☐ was filed as PCT international application No. PCT/ / on and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a). I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Prior Foreign Application(s): Application Number	Country	Day/Month/Year Filed
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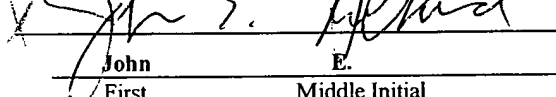
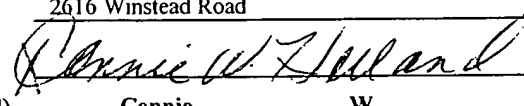
I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application listed below:

Prior Provisional Application(s): Application Serial No.	Day/Month/Year Filed
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I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

Prior U.S./PCT Application(s): Application Serial No.	Date/Month/Year Filed	Status: patented, pending, abandoned
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

- 1) Inventor's Signature  Date X 9/24/99
- |                         |                          |                |                        |                       |
|-------------------------|--------------------------|----------------|------------------------|-----------------------|
| Inventor's Name (typed) | <u>John</u>              | <u>E.</u>      | <u>Holland</u>         | <u>U.S.A.</u>         |
|                         | First                    | Middle Initial | Family Name            | Citizenship           |
| Residence (City)        | <u>Bailey</u>            |                | State/Foreign Country) | <u>North Carolina</u> |
| Post Office Address     | <u>6577 Vance Street</u> |                | Zip Code               | <u>27807</u>          |
- 2) Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_
- |                         |                           |                |                        |                       |
|-------------------------|---------------------------|----------------|------------------------|-----------------------|
| Inventor's Name (typed) | <u>David</u>              | <u>V.</u>      | <u>Cunningham</u>      | <u>U.S.A.</u>         |
|                         | First                     | Middle Initial | Family Name            | Citizenship           |
| Residence (City)        | <u>Rocky Mount</u>        |                | State/Foreign Country) | <u>North Carolina</u> |
| Post Office Address     | <u>2616 Winstead Road</u> |                | Zip Code               | <u>27804</u>          |
- 3) Inventor's Signature  Date X 9-24-99
- |                         |                          |                |                        |                       |
|-------------------------|--------------------------|----------------|------------------------|-----------------------|
| Inventor's Name (typed) | <u>Connie</u>            | <u>W.</u>      | <u>Holland</u>         | <u>U.S.A.</u>         |
|                         | First                    | Middle Initial | Family Name            | Citizenship           |
| Residence (City)        | <u>Bailey</u>            |                | State/Foreign Country) | <u>North Carolina</u> |
| Post Office Address     | <u>6577 Vance Street</u> |                | Zip Code               | <u>27807</u>          |

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.

**DECLARATION FOR SIGNATURE BY JOINT INVENTOR  
ON BEHALF OF OMITTED INVENTOR WHO REFUSES TO  
(37 C.F.R. 1.47(a))**

I am an above-named joint inventor and have signed this declaration on my own behalf and also sign this declaration under 37 C.F.R. 1.47(a) on behalf of the omitted joint inventor, particulars for whom are:

Full name of: David V. Cunningham

omitted inventor who

☒

refuses to sign

☐

cannot be found or reached

USA

Country of citizenship of omitted inventor

2616 Winstead Road

Last known address of omitted inventor

Rocky Mount, North Carolina 27804

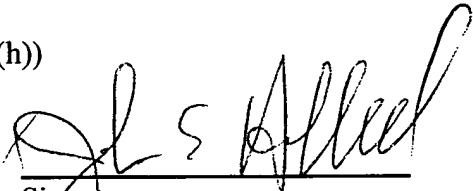
Accompanying this declaration is:

- (1) A DECLARATION OF FACTS IN SUPPORT OF FILING ON BEHALF OF OMITTED INVENTOR
- (2) THE PETITION FEE OF \$130.00 (37 C.F.R. 1.17(h))

John E. Holland

Name of Joint Inventor

Signing of Behalf of Omitted Inventor

  
Signature

9-24-99  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Holland, et al.  
Serial No.: 08/957,431  
Filed: October 24, 1997  
For: **LAMINATED FABRIC**

Ex.: 1314

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**DECLARATION OF CLINTON H. HALLMAN, JR.**

Dear Sir:

I, Clinton H. Hallman, Jr., declare as follows:

1. I am a registered patent attorney, Registration No. 38,480, and Attorney of Record for the instant application.
2. I am an associate in the firm of Rhodes & Mason, P.L.L.C., 300 North Greene Street, Greensboro, North Carolina 27401. Prior to June 1, 1999, this law firm was known as Rhodes, Coats & Bennett, L.L.P.
3. I am one of the attorneys responsible for the prosecution of the above-identified United States Patent Application.
4. On April 22, 1991, I mailed a Declaration regarding the subject matter of the instant application to Mr. John E. Holland.
5. Since that time I have had two telephone conversations with Mr. David V. Cunningham, one of the inventors, concerning the application. During those conversations Mr. Cunningham indicated that he was unwilling to sign the Declaration.
6. On August 12, 1999, I received a voice mail from Mr. Cunningham indicating that he could be reached at a telephone number in Canada. Mr. Cunningham indicated that he

would be at home in North Carolina on the weekend of August 13, 1999, and that he would review a proposed Preliminary Amendment to the application.

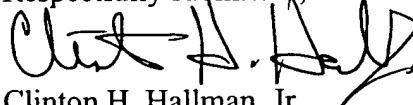
7. When I attempted to reach Mr. Cunningham at the Canadian phone number, the person answering the phone stated that the name of company was "Barrday."

8. On August 17, 1999, I received another voice mail message from Mr. Cunningham indicating that he was employed in Canada, and that he had been in North Carolina during the weekend of August 13, 1999. He stated that he had not reviewed the amendment to the application prepared at his request. Mr. Cunningham did not indicate in his voice mail message when, if ever, he would review the amendment.

9. My phone call to Mr. Cunningham after receiving his voice mail on August 17 has not been returned. Not having heard from Mr. Cunningham, I then initiated the preparation of this Petition.

10. I further declare that all statements made herein are of my own knowledge are true and that all statements made on information are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Respectfully submitted,



Clinton H. Hallman, Jr.  
Registration No. 38,480  
Rhodes & Mason, P.L.L.C.  
1600 First Union Tower  
Greensboro, NC 27401  
(336) 273-4422

Date: 10/6/99

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Holland, et al.  
Serial No.: 08/957,431  
Filed: October 24, 1997  
For: **LAMINATED FABRIC**

Ex.: 1314

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**DECLARATION OF JOHN E. HOLLAND**

I, John E. Holland, declare as follows:

1. I am the President of H & S Manufacturing, Inc. I have been employed in this capacity during all of the relevant time pertaining to this matter.
2. I am one of the three named inventors in the instant patent application.
3. In my capacity as President of H & S Manufacturing ("H&S"), I am responsible for the supervision of those employees hired to develop new products. I also participate directly in new product development.
4. At the request of our patent counsel, Clinton H. Hallman, Jr., I forwarded to Mr. David V. Cunningham at his home address a Declaration for his signature as shown by the letter to him dated April 27, 1999, attached hereto as Exhibit A. Mr. Cunningham had left the employ of H & S on approximately March 12, 1999.
5. While employed by H & S Manufacturing, Mr. Cunningham was involved in the development of new products to include the subject matter of the instant application.
6. Mr. Cunningham communicated to me his refusal to sign the declaration shortly after he received it. My efforts to convince Mr. Cunningham to do so were unsuccessful.

7. Mr. Cunningham has not disputed his obligation to cooperate with H & S Manufacturing in the continuing prosecution of the instant application. In this regard, Mr. Cunningham assigned his rights in the invention to H & S Manufacturing on January 28, 1999. That assignment included a promise to cooperate with H & S Manufacturing in the prosecution of the instant application.

8. Mr. Cunningham's last known address is 2616 Winstead Road, Rocky Mount, North Carolina, 27804.


9. The rights of H & S Manufacturing must necessarily be preserved in this instance because the company has embarked on an extensive program to commercialize the subject matter of the application and funds have been allocated for producing and marketing the items which the subject matter of the instant invention.

10. Upon information and belief, Mr. Cunningham is currently employed by a Canadian company, Barrday, Inc., located in Cambridge, Ontario. Barrday is in the business of selling laminated fabrics. Until sometime in July, Barrday had shown interest in a partnership with H & S Manufacturing for the purpose of commercializing the subject matter of this invention. Approximately six weeks ago Barrday informed us that they were no longer interested in such a partnership. Upon information and belief, the reason for this change in interest lies in Mr. Cunningham's employment by Barrday.

11. H & S Manufacturing will suffer irreparable damage if it is not able to continue the prosecution of the instant patent application. The preservation of the rights of H & S Manufacturing in the subject matter of the instant application requires that a declaration on the behalf of an uncooperative inventor, Mr. David Cunningham, be accepted by the Patent and Trademark Office.

12. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

X   
\_\_\_\_\_  
John E. Holland

Date: 9/24/99

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled LAMINATED FABRIC the specification of which (check applicable box(es)):

- ☐ is attached hereto.  
☒ was filed on October 24, 1997 as U.S. Application Serial No. 08/957,431  
☐ was filed as PCT international application No. PCT/ / on and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a). I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Prior Foreign Application(s): Application Number	Country	Day/Month/Year Filed
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




I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application listed below:

Prior Provisional Application(s): Application Serial No.	Day/Month/Year Filed
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Prior U.S./PCT Application(s): Application Serial No.	Date/Month/Year Filed	Status: patented, pending, abandoned
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1) Inventor's Signature				Date	
Inventor's Name (typed)	John	E.	Holland	US	
	First	Middle Initial	Family Name	Citizenship	
Residence (City)	Bailey		State/Foreign Country)	NC	
Post Office Address	6577 Vance Street		Zip Code	27807	
2) Inventor's Signature				Date	
Inventor's Name (typed)	David	V.	Cunningham	US	
	First	Middle Initial	Family Name	Citizenship	
Residence (City)	Rocky Mount		State/Foreign Country)	NC	
Post Office Address	2616 Winstead Road		Zip Code	27804	
3) Inventor's Signature				Date	
Inventor's Name (typed)	Connie	W.	Holland	US	
	First	Middle Initial	Family Name	Citizenship	
Residence (City)	Bailey		State/Foreign Country)	NC	
Post Office Address	6577 Vance Street		Zip Code	27807	

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.

Rhodes, Coats & Bennett (4/98)



RECORDATION FORM COVER SHEET  
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Atty. Docket No. 3781-011

To the Assistant Commissioner for Patents: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

John E. Holland  
David V. Cunningham  
Connie W. Holland



2. Name and address of receiving party(ies):

Name: H & S Manufacturing, Inc. of ~~Barclay~~  
Internal Address: P.O. Drawer D

RECEIVED  
MAR 05 2002  
TC 1700

Street Address: 303 South Pine Street

City: Spring Hope State: NC Zip: 27882

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date: 1/28/99

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: \_ \_

A. Patent Application No.(s)  
08/957,431

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name : RHODES COATS & BENNETT, L.L.P.  
Internal Address: P.O. Box 2974  
Greensboro, NC 27402

Street Address: 1600 First Union Tower  
300 North Greene Street  
City: Greensboro State: NC Zip: 27401

6. Total number of applications and patents involved:.....1

7. Total fee (37 CFR 3.41):.....\$40.00

☒ Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit account number:  
18-1164

(Attach duplicate of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Clinton H. Hallman, Jr.

Name of Person Signing

Signature

2/8/99

Date

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents and Trademarks, Box Assignments  
Washington, D.C. 20231

## ASSIGNMENT

This Assignment made by us, John E. Holland, a citizen of the United States of America, residing at 6577 Vance Street, City of Bailey, County of Nash, State of North Carolina, David V. Cunningham, citizen of the United States of America, residing at 2616 Winstead Road, City of Rocky Mount, Counties of Edgecombe and Nash, State of North Carolina, and Connie R. Holland, a citizen of the United States of America, residing at 6577 Vance Street, City of Bailey, County of Nash, State of North Carolina, hereinafter referred to as assignors.

WITNESSETH: That,

WHEREAS, we are the joint inventors of certain new and useful improvements in LAMINATED FABRIC for which we have made an application for Letters Patent of the United States, application serial number 08/957431, filed 10/24/1997, and

WHEREAS, H & S Manufacturing, Inc. of Bailey, a corporation duly organized and existing under the laws of the State of North Carolina and having a principal place of business in Spring Hope, County of Nash, State of North Carolina, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in the specification executed by us concurrently herewith, and any and all Letters Patent which shall be granted therefor;

NOW, THEREFORE, To All Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, the said assignors, have sold, assigned, transferred and set over unto the said assignee, its successors and assigns, the entire right, title and interest in and to the above-mentioned application and invention and in and to any and all Letters Patent of the United States which may hereafter be granted therefor, and in any and to any and all continuations, continuations-in-part, substitutions,

divisions or reissues of said Letters Patent, the same to be held and enjoyed by the said assignee, for its interest, and for its own use and behalf, and the use and behalf of its successors and assigns, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by us had this assignment and sale not been made.

And for the consideration aforesaid, we hereby covenant and agree to and with the said assignee, its successors and assigns, that at the time of the execution and delivery of these presents we are the joint and lawful owners of the entire right, title and interest in and to the invention, application and Letters Patent above-mentioned and that the same are unencumbered, and that we have good right and lawful authority to sell and convey the same in the manner herein set forth.

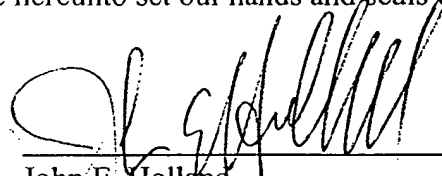
And for the consideration aforesaid, we hereby covenant and agree to and with the said assignee, its successors and assigns, that we will, whenever its counsel or the counsel of its successors and assigns, learned in the law, shall advise that an amendment, division, continuation, continuation-in-part, or substitution of, or any other proceeding in connection with said application, including interference proceedings, is lawful and desirable, sign all papers and drawings, take all rightful oaths, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said invention, or for the reissue of the same without charge to our said assignee, its successors or assigns, but at its or their expense.

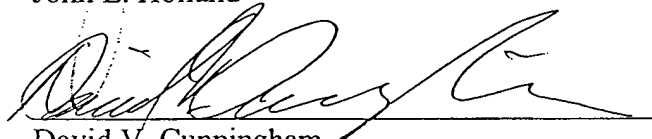
We hereby request the Assistant Commissioner for Patents to issue the Letters Patent in accordance with this instrument.

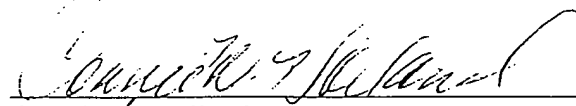
For the consideration aforesaid, we have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the said assignee, its successors, assigns

or nominee, the entire right, title and interest in and to any and all Letters Patent for said invention which may be granted in countries foreign to the United States and in and to any applications for Letters Patent which may be filed for said invention in countries foreign to the United States and in and to the invention described in said application; and we hereby authorize and empower the said assignee, its successors, assigns or nominees to apply for Letters Patent or other form of protection on said invention in its own name or in the name of its successor, assignee, or nominee, in any and all countries where it may desire to file such application and where said application may be filed by another than the inventor; and we hereby covenant and agree to sign all papers and drawings, take all rightful oaths, and do all acts necessary or required to be done for procurement of Letters Patent, or other form of protection, for said invention or inventions in countries foreign to the United States, and for further investing or confirming the right and title therein to the assignee, its successors, assignee, or nominee, without charge to our said assignee, its successor, assignee or nominee, but at its or their expense.

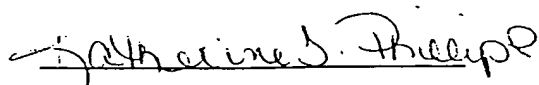
IN WITNESS WHEREOF, we have hereunto set our hands and seals this the 28 day of January, 1999.

  
\_\_\_\_\_  
John E. Holland

  
\_\_\_\_\_  
David V. Cunningham

  
\_\_\_\_\_  
Connie R. Holland

WITNESS:

  
\_\_\_\_\_  
Catherine S. Phillips

DATE: 01-28-99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Holland, et al.  
Serial No.: 08/957431  
Filing Date: October 24, 1997  
For: **LAMINATED FABRIC**

Assistant Commissioner for Patents  
Washington, D.C. 20231

POWER OF ATTORNEY

Sir:

The undersigned, assignee of the entire interest in and to an application of John E. Holland, David V. Cunningham and Connie R. Holland, for U.S. Letters Patent for **LAMINATED FABRIC**, filed October 24, 1997, Serial No. 08/957431, by an assignment document recorded with the Patent and Trademark Office (a copy attached hereto) hereby appoints the firm of Rhodes, Coats & Bennett, L.L.P. comprising C. Robert Rhodes, Reg. No. 24,200, Edward W. Rilee, Reg. No. 31,869, Howard A. MacCord, Jr., Reg. No. 28,639, Jack B. Hicks, Reg. No. 34,180, James L. Lester, Reg. No. 38,721, Larry L. Coats, Reg. No. 25,620, David E. Bennett, Reg. No. 32,194, William J. Mason, Reg. No. 22,948, Clinton H. Hallman, Jr., Reg. No. 38,480, Gilbert J. Andia, Jr., Reg. No. 38,815, Benjamin S. Withrow, Reg. No. 40,876, John R. Owen, Reg. No. 42,055, David D. Kalish, Reg. No. 42,706, and Amy H. Fix, Reg. No. 42,616, as my attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

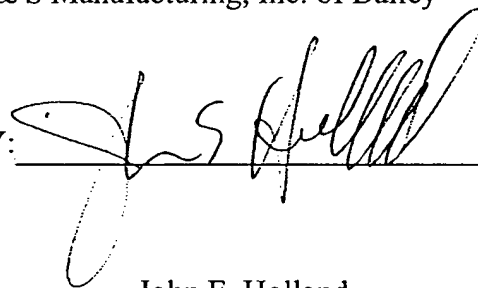
Furthermore, in accordance with 37 CFR 3.73(b), the undersigned hereby states that the documentary evidence of a chain of title from the original owner to the assignee, i.e. assignment

document referenced above, has been reviewed and the undersigned certifies that, to the best of assignee's knowledge and belief, title is in assignee who seeks to prosecute this application.

**PLEASE ADDRESS ALL COMMUNICATIONS AND TELEPHONE CALLS TO:**  
**RHODES COATS & BENNETT, L.L.P., P. O. BOX 2974, GREENSBORO, NORTH**  
**CAROLINA 27402, (336) 273-4422.**

H & S Manufacturing, Inc. of Bailey

BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "John E. Holland", is written over a horizontal line.

John E. Holland

\_\_\_\_\_  
Name (printed or typed)

ITS: President  
Title

Date: January 28, 1999  
File No.: 3781-011

<b>STATEMENT CLAIMING SMALL ENTITY STATUS</b> <b>(37 CFR 1.9(f) &amp; 1.27(c))—SMALL BUSINESS CONCERN</b>	<b>Docket Number (Optional)</b> <b>3781-11</b>
<b>Applicant, Patentee, or Identifier:</b> <u>John E. Holland et al.</u>	
<b>Application or Patent No.:</b> <u>08/957431</u>	
<b>Filed or Issued:</b> <u>October 24, 1997</u>	
<b>Title:</b> <u>LAMINATED FABRIC</u>	
I hereby state that I am	
<input type="checkbox"/> the owner of the small business concern identified below:	
<input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below:	
<b>NAME OF SMALL BUSINESS CONCERN</b> <u>H &amp; S Manufacturing, Inc. of Bailey</u>	
<b>ADDRESS OF SMALL BUSINESS CONCERN</b> <u>P. O. Drawer D, 303 South Pine Street</u> <u>Spring Hope, North Carolina 27882</u>	
I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.	
I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:	
<input type="checkbox"/> the specification filed herewith with title as listed above.	
<input checked="" type="checkbox"/> the application identified above.	
<input type="checkbox"/> the patent identified above.	
If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).	
Each person, concern, or organization having any rights in the invention is listed below:	
<input checked="" type="checkbox"/> no such person, concern, or organization exists.	
<input type="checkbox"/> each such person, concern, or organization is listed below.	
Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)	
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))	
<b>NAME OF PERSON SIGNING</b> <u>John E. Holland</u>	
<b>TITLE OF PERSON IF OTHER THAN OWNER</b> <u>President</u>	
<b>ADDRESS OF PERSON SIGNING</b> <u>P. O. Drawer D, Spring Hope, North Carolina 27882</u>	
<b>SIGNATURE</b> <u>X [Signature]</u>	<b>DATE</b> <u>X 9/24/99</u>

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Client Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RULE 63 (37 C.F.R. 1.63)  
DECLARATION FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **LAMINATED FABRIC** the specification of which (check applicable box(es)):

- ☐ is attached hereto.  
☒ was filed on **October 24, 1997** as U.S. Application Serial No. **08/957431**  
☐ was filed as PCT international application No. PCT/ / on and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a). I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Prior Foreign Application(s): Application Number	Country	Day/Month/Year Filed
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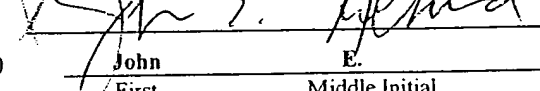
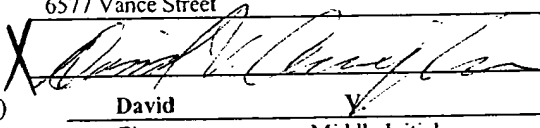
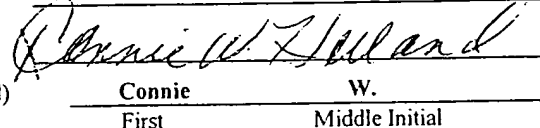
I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application listed below:

Prior Provisional Application(s): Application Serial No.	Day/Month/Year Filed
---	----------------------

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

Prior U.S./PCT Application(s): Application Serial No.	Date/Month/Year Filed	Status: patented, pending, abandoned
--	-----------------------	---

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1) Inventor's Signature		Date	<u>X 9/24/99</u>
Inventor's Name (typed)	<u>John E. Holland</u>	Citizenship	<u>U.S.A.</u>
	First Middle Initial Family Name		
Residence (City)	<u>Bailey</u>	State/Foreign Country)	<u>North Carolina</u>
Post Office Address	<u>6577 Vance Street</u>	Zip Code	<u>27807</u>
2) Inventor's Signature		Date	<u>2/19/00</u>
Inventor's Name (typed)	<u>David V. Cunningham</u>	Citizenship	<u>U.S.A.</u>
	First Middle Initial Family Name		
Residence (City)	<u>Rocky Mount</u>	State/Foreign Country)	<u>North Carolina</u>
Post Office Address	<u>2616 Winstead Road</u>	Zip Code	<u>27804</u>
3) Inventor's Signature		Date	<u>X 9-24-99</u>
Inventor's Name (typed)	<u>Connie W. Holland</u>	Citizenship	<u>U.S.A.</u>
	First Middle Initial Family Name		
Residence (City)	<u>Bailey</u>	State/Foreign Country)	<u>North Carolina</u>
Post Office Address	<u>6577 Vance Street</u>	Zip Code	<u>27807</u>

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.





**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SEPTEMBER 27, 1999

PTAS

RHODES COATS & BENNETT, L.L.P.  
1600 FIRST UNION TOWER  
300 NORTH GREENE STREET  
GREENSBORO, NC 27401



\*101135015A\*

RECEIVED  
MAR 05 2002  
16 1700

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/08/1999

REEL/FRAME: 010115/0690

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HOLLAND, JOHN E.

DOC DATE: 01/28/1999

ASSIGNOR:

CUNNINGHAM, DAVID V.

DOC DATE: 01/28/1999

ASSIGNOR:

HOLLAND, CONNIE W.

DOC DATE: 01/28/1999

ASSIGNEE:

H & S MANUFACTURING, INC. OF  
BAILEY  
303 SOUTH PINE STREET  
P.O. DRAWER D  
SPRING HOPE, NORTH CAROLINA 27882

SERIAL NUMBER: 08957431

FILING DATE: 10/24/1997

PATENT NUMBER:

ISSUE DATE:

010115/0690 PAGE 2

JOANN STEWART, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



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TC 1700

09-24-1999

101135015  
PATENTS ONLY

FORM PTO-1595

(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)

REC

ET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Atty. Docket No. 3781-011

To the Assistant Commissioner for Patents: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

John E. Holland  
David V. Cunningham  
Connie W. HollandAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date: 1/28/99

## 2. Name and address of receiving party(ies):

Name: H & S Manufacturing, Inc. of Bailey  
Internal Address: P.O. Drawer D

Street Address: 303 South Pine Street

City: Spring Hope State: NC Zip: 27882

Additional name(s) & address(es) attached? ☐ Yes ☒ NoRECEIVED  
MAR 05 2002  
TC-1700

## 4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: \_ \_

A. Patent Application No.(s)

08/957,431

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: RHODES COATS &amp; BENNETT, L.L.P.

Internal Address: P.O. Box 2974

Greensboro, NC 27402

Street Address: 1600 First Union Tower

300 North Greene Street

City: Greensboro State: NC Zip: 27401

## 6. Total number of applications and patents involved:.....1

7. Total fee (37 CFR 3.41):.....\$40.00

☒ Enclosed☐ Authorized to be charged to deposit account

## 8. Deposit account number:

18-1164

40E

(Attach duplicate of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Clinton H. Hallman, Jr.

Name of Person Signing

Signature

2/8/99

Date

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents and Trademarks, Box Assignments  
Washington, D.C. 20231

## ASSIGNMENT

This Assignment made by us, John E. Holland, a citizen of the United States of America, residing at 6577 Vance Street, City of Bailey, County of Nash, State of North Carolina, David V. Cunningham, citizen of the United States of America, residing at 2616 Winstead Road, City of Rocky Mount, Counties of Edgecombe and Nash, State of North Carolina, and Connie R. Holland, a citizen of the United States of America, residing at 6577 Vance Street, City of Bailey, County of Nash, State of North Carolina, hereinafter referred to as assignors.

WITNESSETH: That,

WHEREAS, we are the joint inventors of certain new and useful improvements in LAMINATED FABRIC for which we have made an application for Letters Patent of the United States, application serial number 08/957431, filed 10/24/1997, and

WHEREAS, H & S Manufacturing, Inc. of Bailey, a corporation duly organized and existing under the laws of the State of North Carolina and having a principal place of business in Spring Hope, County of Nash, State of North Carolina, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in the specification executed by us concurrently herewith, and any and all Letters Patent which shall be granted therefor;

NOW, THEREFORE, To All Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, the said assignors, have sold, assigned, transferred and set over unto the said assignee, its successors and assigns, the entire right, title and interest in and to the above-mentioned application and invention and in and to any and all Letters Patent of the United States which may hereafter be granted therefor, and in any and to any and all continuations, continuations-in-part, substitutions,

divisions or reissues of said Letters Patent, the same to be held and enjoyed by the said assignee, for its interest, and for its own use and behalf, and the use and behalf of its successors and assigns, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by us had this assignment and sale not been made.

And for the consideration aforesaid, we hereby covenant and agree to and with the said assignee, its successors and assigns, that at the time of the execution and delivery of these presents we are the joint and lawful owners of the entire right, title and interest in and to the invention, application and Letters Patent above-mentioned and that the same are unencumbered, and that we have good right and lawful authority to sell and convey the same in the manner herein set forth.

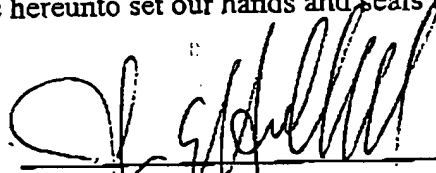
And for the consideration aforesaid, we hereby covenant and agree to and with the said assignee, its successors and assigns, that we will, whenever its counsel or the counsel of its successors and assigns, learned in the law, shall advise that an amendment, division, continuation, continuation-in-part, or substitution of, or any other proceeding in connection with said application, including interference proceedings, is lawful and desirable, sign all papers and drawings, take all rightful oaths, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said invention, or for the reissue of the same without charge to our said assignee, its successors or assigns, but at its or their expense.

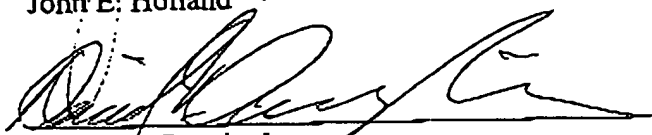
We hereby request the Assistant Commissioner for Patents to issue the Letters Patent in accordance with this instrument.

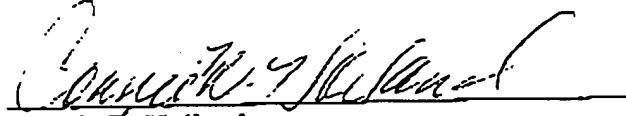
For the consideration aforesaid, we have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the said assignee, its successors, assigns

or nominee, the entire right, title and interest in and to any and all Letters Patent for said invention which may be granted in countries foreign to the United States and in and to any applications for Letters Patent which may be filed for said invention in countries foreign to the United States and in and to the invention described in said application; and we hereby authorize and empower the said assignee, its successors, assigns or nominees to apply for Letters Patent or other form of protection on said invention in its own name or in the name of its successor, assignee, or nominee, in any and all countries where it may desire to file such application and where said application may be filed by another than the inventor; and we hereby covenant and agree to sign all papers and drawings, take all rightful oaths, and do all acts necessary or required to be done for procurement of Letters Patent, or other form of protection, for said invention or inventions in countries foreign to the United States, and for further investing or confirming the right and title therein to the assignee, its successors, assignee, or nominee, without charge to our said assignee, its successor, assignee or nominee, but at its or their expense.

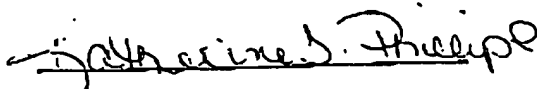
IN WITNESS WHEREOF, we have hereunto set our hands and seals this the 28 day of January, 1999.

  
John E. Holland

  
David V. Cunningham

  
Connie R. Holland

WITNESS:



DATE: 01-28-99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Holland, et al.  
Serial No.: 08/957,431  
Filed: October 24, 1997  
For: **LAMINATED FABRIC**

Ex.: 1314

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**DECLARATION OF CLINTON H. HALLMAN, JR.**

Dear Sir:

I, Clinton H. Hallman, Jr., declare as follows:

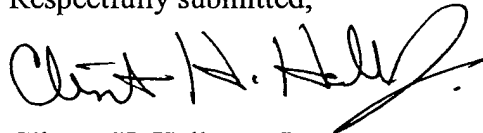
1. I am a registered patent attorney, Registration No. 38,480, and Attorney of Record for the instant application.
2. I am an associate in the firm of Rhodes, Coats & Bennett, L.L.P., 1600 First Union Tower, 300 North Greene Street, Greensboro, North Carolina 27401.
3. I am responsible for the prosecution of the above-identified United States Patent Application.
4. The instant application was filed with the U.S. Patent and Trademark Office on October 24, 1997.
5. The Filing Receipt in the instant application was received by Rhodes, Coats & Bennett, L.L.P. on February 26, 1998.
6. On January 25, 1999, I received a Notice of Abandonment dated January 21, 1999, in the above-identified patent application. The stated reason for the abandonment was Applicant's failure to timely or properly reply to the Notice to File Missing Parts which was allegedly mailed by the Patent and Trademark Office on February 20, 1998.

7. In response to this Notice of Abandonment, I immediately contacted Ms. Shirley Davis, the docketing clerk for Rhodes, Coats & Bennett, L.L.P., and requested that she search her mail logs for any indication that a Notice to File Missing Parts had been received around the third week of February, 1998, as documented in the Declaration attached hereto as Exhibit A. Ms. Shirley Davis conducted a search of the mail log maintained by this firm without success for any evidence that a Notice to File Missing Parts was received in the instant application.

8. I then initialed steps to prepare this Petition to Withdraw Holding of Abandonment.

9. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



Clinton H. Hallman, Jr.  
Attorney of Record  
Registration No. 38,480  
Rhodes, Coats & Bennett, L.L.P.  
1600 First Union Tower  
Greensboro, NC 27401  
(336) 273-4422

Date: 2-8-99